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Humanizing tips for the new lawyer ... and the old

By Jeffrey J. Kroll

I am fortunate to have many opportunities to speak with young lawyers, locally and nationally, about the role of a trial lawyer in today's ever-changing world. It is a responsibility that I embrace. With 20 years of trial experience under my belt, I have learned that the practice of law is much more than writing briefs and stepping up on motions.

Having recently vacationed with my family in Italy for the first time, I was exposed to the drastically different way of life. While enjoying a glass of Chianti one night near the Piazza del Popolo, my mind wandered back to Chicago and the office (of course). I thought about the many resumes from bambino lawyers on my desk. I was pretty sure that those future litigators were sitting for the life-altering bar exam at that very moment. Still, I enjoyed my wine.

Soon after returning from Italy, I found myself rushing through Daley Center Plaza. Reverse culture shock set in! After adapting to the laid-back Italian way of life, watching Roman professionals from a distance as they enjoyed an espresso with co-workers in the morning, a glass of wine at lunch and even a late afternoon scoop of gelato, I really began to envy the Roman lifestyle. The men and women were well dressed, looked happy and healthy and truly seemed to enjoy life. Back at the Daley Center, people rushed to court focusing on their iPhones instead of their surroundings. The billable hour set the tone; the Picasso nearly disappeared into the background.

Chicago's legal community can be a very private scene. Lawyers — often their desks' prisoners during the week — hightail it out of the Loop as soon as they can. While I am an advocate of the flexible hour (and working from home), I also recognize the importance of the office, bar associations, interacting with other lawyers and staff and truly being an active member of the legal community. Thanks to the work ethic instilled by my mentors, hard work and success have provided me with a 20-year love affair with the practice of law. However, as one jurist noted about 180 years ago, "the law is a jealous mistress and requires a long and constant courtship."

So, how can lawyers learn to balance the modern work-home-social life trifecta all while becoming successful attorneys subject to the demands of networking and building a client base? Do what you love, do what excites you and work hard at it. I would be a hypocrite if I said earning a living isn't important. It is. Yes, trying cases is hard work. Yes, preparation and careful attention to detail are a must. But, no, you should not be miserable doing it.

In Italy, my 8-year-old son and I spent quality time together. One afternoon, sitting outside a church, my son asked me if I liked being a lawyer. Then, he asked me if I was any good at it. Interesting question from an 8-year-old. An introspective moment later, I told him that success, for me, is working hard at something I really love doing. Now, take a minute to think about how successful you are in your practice.

Being a lawyer is not only a job, it is a life commitment in both good times and bad, in sickness and in health, for richer or for poorer (and it might sometimes feel like only death will free you from it). Like any union, enjoying success as a lawyer takes work. In the ongoing quest to balance life in and out of the office, here (à la David Letterman) are my "Top Ten Ways to Avoid the Wrath of the Jealous Mistress":

- (1) Find something you don't do well and don't do it.
- (2) Don't be a lemming. You will never learn anything new if you take advice from attorneys who say "that's just the way it has always been done."
- (3) Know your file. Don't let judges make an example out of you in open court.
- (4) Never wait until the last minute to start a Federal Court Pretrial Order.
- (5) Appreciate the power of Illinois Supreme Court Rule 213.
- (6) It is fine to emulate others, but don't try to be someone else. Each of us has distinct and valuable strengths. Use yours.
- (7) Find a way to participate in trials at your firm, even when you are not sitting at counsel's table.
- (8) Refrain from draining your brain on Facebook or Twitter.
- (9) Don't allow your enthusiasm and creativity to go MIA.
- (10) Spend time with your family: Take your significant other out to dinner; don't miss your kid's T-ball games.

With the stress of deadlines, the worry about paying back law school loans and the constant need to acquire new clients, a person could easily become rundown. My advice: Don't let the practice run you. Trust me, it easily can.

The law *is* client-driven. Yet, many people do not like lawyers. When you meet potential clients you might feel like you are engaged in a Sisyphean-like task, constantly trying to establish credibility, apologizing for lawyers in general and gaining trust only to find yourself at the bottom of the hill each time you deal with someone new. Don't be discouraged. Welcome this challenge. The key is to be *you*, not an exaggerated version of what you think people expect from lawyers. The more you socialize with others, the easier it gets. I promise. Gain confidence in your knowledge of the law. Read law journals and discuss the impact of new cases with colleagues. Be versed in legal trends.

It might seem that Lexis and Westlaw (or even the now-antiquated horn books that I used when I first became an attorney) contain an over-whelming, monster-like collection of case law and rules. Don't be frightened. You don't have to know everything. Focus on an area of the law that interests you and become an expert in that area. Refer cases outside of your area of expertise to other attorneys. Building reciprocity with others could eventually become a great source for new business.

Spending time with non-lawyers and having fun can provide you with inspiration for the practice, too. I like to enjoy myself and I love being a lawyer. Many a family party, business lunch and even a social conversation have generated ideas for themes and analogies, which I later used during an opening or

closing statement. Observe and draw from the ubiquitous "material" in your everyday life. Often, telling simple, relevant (and current) stories about life will help you connect to the jury. Jurors need to feel that you are human, just like them.

It's inevitable. The harsh Chicago winter will soon confine us. In the meantime, you do not have to travel 5,000 miles to Italy to enjoy fresh air and beautiful art. Ask a colleague to join you on a walk around the Loop. Discuss books, sports, plays, TV programs, music or a great restaurant you recently discovered. Free yourself from the billable hour for a few minutes, stop to look at the Picasso and just enjoy knowing that you are a part of a valued and essential profession.

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